

# YOUTH SERVICES POLICY

<b>Title:</b> Contraband Control – Secure Care Facilities <b>Next Annual Review Date:</b> 04/23/2013	<b>Type:</b> C. Field Operations <b>Sub Type:</b> 2. Security <b>Number:</b> C.2.22
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<b>References:</b> References are listed in Attachment C.2.22 (a).	
<b>STATUS: Approved</b>	
<b>Approved By:</b> Mary L. Livers, Deputy Secretary	<b>Date of Approval:</b> 04/23/2012

## I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

## II. PURPOSE:

To establish policy for defining the parameters to determine which items are considered contraband and the procedures to follow when contraband is discovered.

## III. APPLICABILITY:

All YS employees, contract providers, visitors, volunteers and interns. Facility Directors are responsible for ensuring that Standard Operating Procedures (SOPs) are in place to comply with this policy.

**NOTE:** The information contained in this policy must be included in the facility Security Manual (refer to YS Policy C.2.21).

## IV. DEFINITIONS:

***Accident and Injury (A&I) Form*** – Form used by contracted health care provider staff to record history, physical and clinical assessment/findings, as well as type of injury, as a result of an alleged incident involving any youth in the custody of YS assigned to a secure care facility.

***Chain of Custody*** – The number of persons who handle physical evidence between the time the evidence is located and the final disposition of a case.

***Contraband*** - Any item(s) introduced or found on facility grounds, including any improperly possessed drugs (whether illegal or legal) and weapons that are expressly prohibited by applicable statutes, YS policies and facility Standard Operating Procedures (SOPs), and as specifically identified by the Facility Director as contraband.

Contraband includes, but is not limited to, the following:

- Any substance or device defined in the uniform Controlled Dangerous Substance statute, except prescribed by a physician and conforming to stipulations in La. R.S. 14:402.D.1;
- Weapons or other instrumentalities which could be used as a dangerous weapon or to aid an escape or plans to manufacture such;
- Unauthorized explosives or combustibles;
- Alcoholic or other beverages producing an intoxicating effect;
- Stolen property;
- Unauthorized currency or coin;
- Any unauthorized articles of food, clothing or toiletries;
- Unauthorized telecommunications equipment, including, but not limited to, cellular phones, beepers, or global positioning equipment;
- Any unauthorized tape recorders, cameras and camcorders;
- Any unauthorized electronics such as laptop computers, tablets or thumbdrives; and
- Nude photographs/pornography.

***Escorted Absence*** – a temporary absence authorized by the Facility Director, in which a youth is escorted outside the secure perimeter by qualified employees for a therapeutic purpose.

***Force*** - A physical or mechanical intervention that causes someone to act in a manner contrary to his intent or causes him to change his behavior to a desired action or to more desirable conduct.

***Gate Entrance Posts (Front, Rear/Back, Pedestrian and Vehicular)*** – Designated primary points of entry and exit of the facility.

***Hazardous Material*** – Any flammable, combustible, toxic, or caustic material as defined in YS Policy No. C.2.15.

***Operations Shift Supervisor (OSS)*** – An employee who is responsible for a range of duties that support management in maintaining a safe, secure facility. An OSS oversees administrative and operational security activities during specific shifts; manages employees during each assigned shift; ensures adequate security coverage; leads count procedures; oversees the custody, supervision and control of secure care youth; manages frontline security employees; assists in controlling youth movement; assists in directing the use and issuance of keys, locks, and security equipment.

***Polygraph*** - The polygraph is an instrument that measures and records certain physiological changes in a person undergoing questioning in an effort to determine the likelihood of truth or deception. A polygraph simultaneously measures at least three variables: respiratory activity, galvanic skin resistance or conductivity, and cardiovascular activity.

***Training Records Entry Completed (TREC)*** – The database used to track training hours of all YS employees.

***Unusual Occurrence Report (UOR)*** – A form/document [refer to YS Policy No. C.2.6 (b)] that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email in any format.

**V. POLICY:**

The United States and Louisiana Constitutions prohibit unreasonable searches. Louisiana law makes it a crime to bring contraband into a secure care facility (La. R.S. 14:402). Therefore, it is the policy of the Deputy Secretary to respect the prohibition against unreasonable searches while acting in the public interest to halt the flow of contraband into secure care facilities under the jurisdiction of YS.

Since one of the basic requirements for maintaining control in a secure care facility is imposing close controls on the introduction, fabrication, storage, transportation, and use of contraband, Facility Directors shall ensure that these control requirements are adhered to.

Searches of youth, their personal property, the physical plant of the facility, vehicles, visitors and employees for contraband are an integral part of facility security. Effective searches for contraband cannot be done only by remote surveillance or simple cursory inspections, but rather must be done by the personal interactions of trained and professional staff.

**VI. GENERAL ACA SEARCH GUIDELINES:**

Searches should emphasize the following:

- Detection and prevention of the manufacture of weapons, escape paraphernalia, and other impermissible items;
- Discovery and suppression of contraband traffic among staff and youth;
- Recovery of stolen or lost items;
- Discovery of waste or destruction of state property; and
- Discovery of hazardous areas or circumstances that otherwise might remain undetected in other inspection programs.

**VII. PROCEDURES:**

- A. Searches for contraband shall be conducted in accordance with YS Policy Nos. C.2.3, C.2.4 and C.2.5. Pursuant to YS search policies, searches shall be conducted in a professional manner that avoids unnecessary force and supports the dignity of the person while still accomplishing the objectives of the search. Specifically YS Policy No. C.2.3 requires that searches avoid unnecessary force to youth. (Refer to YS Policy No. C.2.6 for requirements concerning interventions and force.)
- B. Pursuant to YS Policy No. C.2.16, there shall be two (2) staff members assigned to Front Gates at critical entrance/exit times each day to ensure that proper searches for contraband are conducted.

**NOTE:** Critical times include at least the following: at shift change, during the window of time when "day employees" arrive to and leave from work, visitation, special programs, etc.

- C. Perimeter searches for contraband shall be conducted by employees assigned to perimeter security (refer to YS Policy No. C.2.18).
- D. All tools, including culinary, medical, and vocational shall be stored and used in a safe, economical, and secure manner. Necessary supervision shall be provided over tools. Accountability and responsibility shall be established for issue, storage, receipt, and disposal of tools. The procedures outlined in YS Policy No. C.2.14 shall be followed for lost, confiscated or contraband tools. Said policy also contains information about searches and investigations concerning tools.
- E. Flammable, combustible, toxic or caustic material as described in YS Policy No. C.2.15, shall be managed, controlled and used in accordance with the procedures outlined therein.
- F. Searching correspondence and packages for contraband shall be in accordance with YS Policy No. C.2.9. Contraband items such as any controlled dangerous substance, any weapon or explosive, any escape plans and/or any plans for criminal activity or acts which constitute criminal behavior, along any other pertinent information, received in a letter or package shall be turned over to law enforcement authorities in the parish where the facility is located, with notification to the local FBI agent (if appropriate) or the U.S. Postal Service. Said policy also provides procedures to follow when any contraband is found in a letter or package.
- G. Illegal substances are controlled dangerous substances as defined in La. R.S. Title 40, alcohol, over the counter drugs, or any substance declared contraband or prohibited by policy and/or practice. (This includes tobacco products.) YS Policy Nos. A.2.7 and A.2.16 contain the requirements for YS drug-free work place and no smoking and tobacco-free policy. Testing of employees and youth is governed by YS Policy Nos. A.2.7 and C.2.7.

- H. Glass containers are considered contraband and shall not be allowed inside the perimeter fence.
- I. Telecommunications equipment, tape recorders, cameras and camcorders, etc. are contraband as defined in La. R.S. 14:402. Any such items shall be prohibited on the grounds of a secure care facility unless specifically authorized in writing by the Facility Director. A copy of the authorization shall be forwarded to Front Gate staff (refer to YS Policy No. C.2.16). Items of this nature may be kept inside the perimeter fence with specific written approval by the Facility Director; however the items must be kept in a locked area when not in use.
- J. When employees are issued tagged removable read/writeable electronic media by YS Information Technology (IT) staff, this equipment shall be used for YS business only and not loaned or given to other employees. Employees to whom the drive is assigned are responsible for the content of the material stored. A list of approved employees who are authorized to have removable read/writeable electronic media shall be maintained in offices designated by the Facility Director; however, a copy of the list shall be forwarded to Front Gate staff (refer to YS Policy No. C.2.16).

The drives are subject to be inspected and read during searches. The removable read/writeable electronic media shall not be taken off facility grounds without specific written permission from an employee's immediate supervisor. Any employee, who is in possession of an unauthorized removable read/writeable electronic media or has media which contains material which is not directly related to job duties, is considered in possession of contraband and all appropriate penalties shall apply.

The electronic media is also subject to be inspected by IT staff to ensure that the requirements outlined in this policy are being followed.

- K. Information contained in electronic media related to youth is confidential and shall be treated in the same manner as a youth's case record. Telecommunications media shall not be stored in an area to which youth may have access or in an area or location which cannot be secured.
- L. The Facility Director may authorize employees in management positions to have personal cell phones on facility grounds if the phones are used for YS business purposes only; however such authorizations shall be in writing and a copy forwarded to Front Gate staff at each revision (refer to YS Policy No. C.2.16).

- M. Employees shall not be allowed to bring movies, music videos, CDs, DVDs, cassette tapes, VHS tapes or any other item which contains music, recorded images or other audio, unless the item is specifically approved by the Facility Director. Written notification by the Facility Director of such approval must be presented by the employee to Front Gate staff when any such item is brought onto facility grounds (refer to YS Policy No. C.2.16). Any such item brought on facility grounds without approval shall be considered contraband and shall be disposed of in accordance with Section VIII of this policy. Appropriate action shall be taken against the employee by the employee's immediate supervisor.
- N. The IS Office located on the facility grounds or the Director of IS if applicable, the Facility Director, and the OSS shall be notified of any findings of contraband twenty four (24) hours a day, seven (7) days a week. UORs shall be completed prior to the end of the tour of duty by all employees who discover contraband items. IS shall review and investigate incidents as needed. (Refer to YS Policy No. A.1.4 for information concerning the responsibilities of IS.)
- O. YS employees, contracted staff, visitors, volunteers, interns and others are prohibited from possessing more than twenty dollars (\$20) in authorized currency or coin while inside the perimeter fence of the facility. An *employee* who is found to be in possession of more than \$20 is subject to confiscation of the money and appropriate action taken by the employee's immediate supervisor. Currency or coin in any amount is considered contraband in the possession of a youth (refer to YS Policy No. B.5.1).
- P. Prescribed medication by a physician which is in the container issued by a pharmacy, and/or diabetic supplies shall not be considered contraband if declared by an employee upon entering facility grounds. Such medication shall not be concealed. Insulin syringes shall be kept in a secured location when not in use. Medication amounts should not exceed that required for an employee's tour of duty. Medication shall not be unattended or left in an area where youth might have access. Employees must advise their immediate supervisors about the required medication.
- Q. Any medication for chronic conditions or scheduled consumption may be held at the Front Gate in the dose required for the length of time a visitor will be present. No medication shall be allowed entry on to the facility grounds without the express approval of the Facility Director/designee (refer to YS Policy No. C.2.16).
- R. Possession of firearms and ammunition is strictly prohibited on facility grounds.

**NOTE:** YS Policy No. C.2.16 contains information about storing firearms and ammunition at the Front Gate.

- S. Knives, including pocket knives, are not permitted on facility grounds. Requests for exceptions must be made in writing with specific reasons why a pocket knife is needed rather than an approved tool issued by the facility. Any knives which are approved shall not exceed five inches in length with the longest blade extended. A list of employees who have been approved to carry pocket knives shall be maintained at the Front Gate (refer to YS Policy No. C.2.16).
- T. Possession or introduction of any alcoholic or other beverage which has an intoxicating effect onto facility grounds is strictly prohibited. Any such possession or introduction shall be considered contraband (refer to YS Policy No. C.2.16).
- U. Handling and identifying evidence collected in connection with the commission of a crime and/or violation of an employee rule to preserve the integrity of the disciplinary and/or legal process shall be pursuant to YS Policy No. C.4.6. In order to successfully introduce physical evidence, the evidence must be properly identified, the continuity of the chain of custody must be proven, and the evidence must be material and relevant.
- V. The first responder to a sexual misconduct (PREA) incident should encourage the victim not to brush their teeth, bathe, clean up, douche, or engage in activity that may alter, contaminate or destroy potential evidence. (Refer to YS Policy Nos. C.2.11 and C.4.6 for additional information.)
- W. All instances of suspected child abuse or neglect shall be reported to the Louisiana Department of Children and Family Services (DCFS). (Refer to YS Policy No. C.4.3 for specific information.)
- X. Pursuant to YS Policy No. B.6.4, any youth in the custody of YS assigned to a secure care facility involved in an alleged incident shall be examined by CHC staff. The A&I Form shall be used to record history, physical and clinical assessment/findings, as well as the type of injury. A copy of the A&I Form on reportable injuries shall be forwarded to IS. IS shall review and investigate as needed. (Refer to YS Policy No. A.1.4 for information concerning the responsibilities of IS.)
- Y. Procedures outlined in YS Policy No. C.4.7 regarding escorted absences contains information about searches for contraband and shall be followed.
- Z. Polygraph examinations of employees and youth may be used in investigations of incidents involving Youth Services employees and/or youth when conditions indicate that such examination may assist Investigative Services (IS). Polygraph examinations shall be authorized by the IS Director when consistent with YS Policy Nos. A.1.11 and B.8.17.

**VIII. DISPOSITION OF CONTRABAND:**

Pursuant to La. R.S.14:402 and YS Policy Nos. C.2.4 and C.2.5, contraband shall be disposed of in the following manner with documentation of the method of disposal:

- A. All perishable items shall be destroyed;
- B. Items may be donated to a charitable organization;
- C. Items of little or no value may be destroyed; or
- D. Cash shall be disposed of in accordance with La. R.S. 14:402(F).
- E. Contraband as defined in La. R.S. 14:402 shall be turned over to law enforcement as evidence.

**X. REQUIRED NOTIFICATIONS AND DOCUMENTATION:**

- A. Requests and approvals/exceptions for particular contraband items to be brought onto facility grounds as outlined in this policy shall be in writing.
- B. UORs shall be completed and submitted as required by all employees who discover contraband items prior to the end of their tour of duty.

**XI. STAFF DEVELOPMENT:**

- A. All current and new secure care facility employees shall receive training on the process and procedures for contraband control contained in this policy. In addition, this policy shall be part of the annual in-service training curriculums.
- B. All training shall be documented in TREC.

**Previous Regulation/Policy Number:** N/A  
**Previous Effective Date:** N/A



**Attachments/References:** [C.2.22\(a\) Contraband Control References-ACA Standards.docx](#)